

Amendment
Serial No. 10/507,484
Attorney Docket No. 042641

REMARKS

By the present amendment, claim 1 has been amended by incorporating therein the subject matter of claim 5, and claim 14 has been amended by incorporating therein the subject matter of claim 15. Accordingly, claims 5 and 15 have been canceled.

Further, claims 1 and 14 have been amended to replace “mutually different areas” by “areas having mutually different compositions,” and claims 19-20 have been amended to replace “antireflection film” by “polarizing plate.”

Also, claims 7 and 11 have been corrected to remove inadequate commas.

Claims 1, 3-5, and 6-20 are pending in the present application. Claims 1 and 14 are the only independent claims.

In the Office Action, claims 1, 3, 4, 6-13 and 16-20 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged in the Office Action that the “at least two kinds of low refractive index materials” are too vague because they “recite compounds by what it is desired that they do rather than what they are,” and that claims 19-20 improperly refer to claim 11.

Reconsideration and withdrawal of the rejection is respectfully requested. Present claim 1 includes the subject matter of claim 5, which is not included in this rejection, so that the present rejection as applied to this claim is moot. Further, claims 19-20 have been corrected to replace “antireflection film” by “polarizing plate.”

In view of the above, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 1 and 3-20 are rejected under 35 U.S.C. 102(b) as anticipated by US 4,904,525 to Taniguchi ("Taniguchi"). It is alleged in the Office Action that Taniguchi discloses an antireflective layer made of the same materials as disclosed in the present specification, i.e., "a material having fluorine in a first area and a polysiloxane in another area."

Reconsideration and withdrawal of the rejection is respectfully requested. The material used in Taniguchi is an organic silicon compound containing fluorine and the reflection preventing layer in Taniguchi is formed by one material, not two kinds of materials. Specifically, Taniguchi discloses a "fluorine-containing organopolysiloxane-based film" (col. 3, line 41), which is made with a "fluorine-containing organic silicon compound of the formula (I)" (col. 3, 53-54). Thus, the antireflective film of Taniguchi is made with a single polymer, i.e., the film does not contain "at least two kinds of materials" which form "mutually different areas." In other words, Taniguchi does not disclose that its materials form mutually different areas, i.e., areas having mutually different compositions, as recited in present claims 1 and 14, and such structure is not obtained inherently in Taniguchi.

Further, in Examples 7 and 8 of Taniguchi, an organic silicon compound (II) is used along with the organic silicon compound containing fluorine (I), but a separated structure cannot be obtained. In particular, Taniguchi uses alcohol solvent alone, or alcohol solvent (isopropyl alcohol) and ethyl cellosolve in combination. Thus, even if activated gas treatment is carried out to control a superficial F/Si ratio as disclosed in Taniguchi, a separated structure cannot be formed by such treatment. Accordingly, the method of Taniguchi is comparable to Reference Examples 1 and 2 in the present application, where ethyl isobutyl ketone is used as solvent, and which is insufficient to result in a separate structure.

Amendment
Serial No. **10/507,484**
Attorney Docket No. **042641**

In contrast, in the presently claimed invention, the antireflection layer has a separated structure in which areas having mutually different compositions are formed, as recited in present claims 1 and 14, and in particular, in the presently claimed method, the solvent is a mixed solvent comprising a ketone solvent and an alcohol solvent, as recited in present claim 14. This structure and this mixed solvent are not taught or suggested in Taniguchi. Therefore, the present claims are not obvious over Taniguchi.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

If there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

If this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel

Attorney for Applicants

Reg. No. 44,373

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

NES/rep